



Express Mail Label No. _____	Dated: _____
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Docket No.: 04280/1200696-US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Alison Witte et al.

Application No.: 11/009,410

Confirmation No.: 8286

Filed: December 10, 2004

Art Unit: 1646

For: INTERFERON ALPHA ANTIBODIES AND  
THEIR USES

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

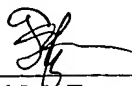
In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed April 8, 2005, Applicant respectfully submits a Declaration, the Filing Fee for the Application (as shown on accompanying Fee Transmittal), a Sequence Listing Diskette, a Sequence Listing Paper Copy, a Statement under 37 CFR 1.821(f), a Preliminary Amendment, and Part 2 Copy of Notice.

Our check in the amount of \$2,330.00 covering the fee set forth in 37 CFR 1.16(f), 1.16(a)(1), 1.16(k), 1.16(o), 1.16(s), 1.21(h), 1.16(i), and 1.16(h) is enclosed. The Commissioner is

authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: June 8, 2005

Respectfully submitted,

By  *Paul M. Zagar*  
Paul M. Zagar (53,970)

Registration No.: 52,392

DARBY & DARBY P.C.

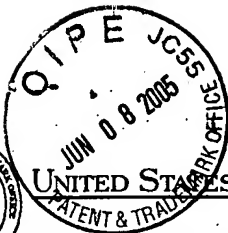
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# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
11/009,410	12/10/2004	Alison Witte	04280/1200696-US1

CONFIRMATION NO. 8286

07278  
DARBY & DARBY P.C.  
P. O. BOX 5257  
NEW YORK, NY 10150-5257

## FORMALITIES LETTER



\*OC000000015693857\*

Date Mailed: 04/08/2005

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/13/2005 HTECKLU1 00000008 11009410

FILED UNDER 37 CFR 1.53(b)

01 FC:1011	300.00 OP
02 FC:1111	500.00 OP
03 FC:1311	200.00 OP
04 FC:1201	200.00 OP
05 FC:1202	750.00 OP
06 FC:1051	250.00 OP
07 FC:1081	250.00 OP

*Filing Date Granted*

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 300 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.  
*Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

To Download Patent Software, visit <http://www.uspto.gov/web/patents/software.htm>  
For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$2700** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$4080** for a Large Entity

- **\$300** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- The application search fee has not been paid. Applicant must submit **\$500** to complete the search fee.
- The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a large entity
- The specification and drawings contain more than 100 pages. Applicant owes **\$250** for 9 pages in excess of 100 pages for a non-small entity.
- Total additional claim fee(s) for this application is **\$2700**
  - **\$1000** for 5 independent claims over 3.
  - **\$1700** for 34 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

Office of Initial Patent Examination (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE